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PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number	09/980,768
Filing Date	November 15, 2001
First Named Inventor	Bimbaum
Art Unit	2126
Examiner Name	V. Nguyen
Attorney Docket Number	GIC-575

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on \_\_\_\_\_
- ii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- iii. ☐ Information Disclosure Statement (IDS)
- ii. ☐ Affidavit(s)/ Declaration(s)
- iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-0625
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Check in the amount of \$ 880.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Douglas M. McAllister	Registration No. (Attorney/Agent)	37,886
Signature		Date	July 23, 2004

### CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Cathy Dunne	Date	July 23, 2004
Signature			

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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P.O. Box 1450  
Alexandria, VA 22313-1450

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July 23, 2004

By: Cathy Dunne  
Cathy Dunne

In re Application of: Birnbaum, et al.  
Application No.: 09/980,768  
Filed: November 15, 2001  
Title: PROGRAMMING INTERFACE FOR TELEVISION SETTOP CORE SYSTEM SOFTWARE

Examiner: V. Nguyen  
Art Unit: 2126

Dear Sir:

Transmitted herewith is an **AMENDMENT and Request for Continued Examination (RCE)** in the above-identified application.

**FEE CALCULATION:**

				SMALL ENTITY		LARGE ENTITY	
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE	RATE	ADDITIONAL FEE
TOTAL	89	89	0	X 9	\$	X18	\$ 0
INDEPENDENT	2	3	0	X 43	\$	X86	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM				+145	\$	+290	\$ 0
TOTAL ADDITIONAL FEE					\$		\$ 0

**ENCLOSURE(S):**

- [X] Check in the amount of \$880.00 to cover the fee for a RCE (\$770.00) and a one-month extension of time (\$110.00)
- [X] *Request for Continued Examination (RCE) Transmittal Form PTO/SB/30* - 1 page
- [X] Petition for One-Month Extension of Time Under 37 C.F.R. 1.136(a), together with extension fee in the amount of \$110.00.
- [X] *Amendment* dated July 23, 2004 -- 23 pages
- [X] The Commissioner is hereby authorized to charge any deficiency in the payment of the required fee(s) or credit any overpayment to Deposit Account No. 50-0625.

Respectfully submitted,

Douglas M. McAllister  
Douglas M. McAllister, Reg. No. 37,886  
Attorney for Applicant(s)  
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Monroe, CT 06468  
(203) 459-0200

Date: July 23, 2004  
Attorney Docket No.: GIC-575



PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Birnbaum, et al. ) Examiner: V. Nguyen  
)  
Serial No.: 09/980,768 ) Art Unit: 2126  
)  
Filed: November 15, 2001 )

For: **PROGRAMMING INTERFACE FOR TELEVISION SETTOP CORE  
SYSTEM SOFTWARE**

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Signature

*Cathy Dunne*  
Cathy Dunne

**AMENDMENT**

Dear Sir:

This Amendment is responsive to the final Office Action mailed on March 23, 2004 and the Advisory Action mailed on July 15, 2004. A Request for Continued Examination (RCE) is also being filed concurrently herewith, together with a petition and fee for a one-month extension of time. Please amend the above-identified U.S. patent application as follows:

**IN THE CLAIMS:**

Claim Summary

Claims 1 and 89 are amended herein. For the Examiner's convenience, and in accordance with 37 C.F.R. § 1.121, a complete listing of the claims is set forth below with corresponding status identifiers for each claim.